

### **Amendments to the Drawings**

Figs. 1 and 2 have been objected to for failing to indicate Fig.1 and Fig. 2 as “prior art” as described in the specification. In response, Applicant submits herewith replacement drawing sheets for Figs. 1 and 2, providing the necessary correction. Having complied with the request set forth in the Action, Applicant respectfully requests withdrawal of the objection to the identified figures.

## **REMARKS**

This is in response to the Office Action dated March 24, 2008. Claims 1-20 are all the claims pending in this application. It is submitted that the application as amended is in condition for allowance. Reexamination and reconsideration of the application is respectfully requested.

### **103 rejections Na in view of Soulabail**

Claims 1-20 are rejected under 35 USC 103(a) as being unpatentable over Na (U.S. 6,226,276) in view of Soulabail et al. (U.S. 2002/0071415). Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

Independent claim 1 recites a mode switching method in a mobile communication system comprising “providing a mode switching start point between an uplink signal and a downlink signal of a transceiver, resetting the mode switching start point based on length of a guard period provided between the uplink signal and the downlink signal.”

Page 7 of the Office Actions states that Na does not explicitly disclose a guard period with a variable length. Additionally, page 8 of the Office Action states that Fig. 6 and paragraph 0034 of Soulabail teaches a frame structure for cellular telecommunications systems wherein the guard period is varied for downlink and uplink transmission.

A review of the cited portion of Soulabail does not reveal a discussion of a “resetting the mode switching start point based on length of a guard period provided between the uplink

signal and the downlink signal,” as recited in claim 1. As shown in Fig. 6 of Soulabail, guard period 66 and guard period 68 are of different length. However, Soulabail does not disclose that the length of the guard period is different between the uplink signal and downlink signal. Rather, as shown in Fig. 6 and disclosed in paragraph 0041 the guard period for downlink delay is longer than the guard period for the uplink delay. In other words, the guard period length of Soulabail is longer between the uplink signal and downlink signal as compared to the guard period length between the downlink signal and uplink signal.

Having the length of the guard period between the uplink and downlink vary from the length of the guard period between the downlink and uplink is not the same as “resetting the mode switching start point based on length of a guard period provided between the uplink signal and the downlink signal,” as recited in independent claim 1. The guard period length of Soulabail is always the same between the uplink signal and the downlink signal. Therefore, Soulabail fails to recite the elements of independent claim 1.

Independent claim 10 recites a mode switching method comprising “determining a mode switching time (MST) of the transceiver.”

Page 11 of the Office Action states that Fig. 1 and col. 4 lines 27-55 of Na disclose determining a mode switching time. Applicant respectfully disagrees.

Col. 4 lines 35-41 of Na disclose that “switch 103 is controlled in response to a switching control signal periodically generated by a controller (not shown) at intervals of a predetermined

time (e.g., 2 millisecond intervals in this application) with a duty rate of 50:50 (i.e. the first one millisecond is allocated for the Tx mode and the next one millisecond is allocated for the Rx mode).”

A review of the passage above reveals that the mode switching time is predetermined. The predetermined time of Na is settled in advance and always has a duty rate of 50:50. Applicant submits that a predetermined time is not the same as determining a mode switching time. A predetermined time is decided in advance, which is not the same as determining a mode switching time in a mode switching method. Since the mode switch time of Na is predetermined, the radio communication system disclosed in Na cannot determine the mode switching time of the transceiver as recited in independent claim 10.

For the reasons stated above, Soulabail does not cure the stated deficiencies of Na. Accordingly, even if one of ordinary skill were to combine these references in the manner alleged, the resulting system would not teach all of the elements of independent claim 1. Therefore, it is respectfully submitted that independent claim 1 is allowable over the cited references. Additionally, independent claim 11 contains language similar to that of claim 1, with respect to “resetting the mode switching start point based on length of a guard period provided between the uplink signal and the downlink signal,” and therefore independent claim 11 is also believed to be allowable for reasons similar to those set out in conjunction with claim 1. Additionally, dependent claims 2-9 and 12-19 are allowable by virtue of their dependence to the allowable independent claims 1 and 11.

Finally, for the reasons stated above, Na does not teach all of the elements recited in amended claim 10. Furthermore, Soulabail does not cure the stated deficiencies of Na. Accordingly, even if one of ordinary skill were to combine these references in the manner alleged, the resulting system would not teach all of the elements of claim 10. Therefore, it is respectfully submitted that claim 10 is allowable over the cited references. Additionally, independent claim 20 contains language similar to that of claim 10 with respect to “determining a mode switching time (MST) of the transceiver.” Therefore, independent claim 20 is also believed to be allowable for reasons similar to those set out in conjunction with independent claim 10.


### **Conclusion**

In light of the above remarks, Applicant submits that the present Amendment places all claims of the application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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Date: June 24, 2008

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